

1/14/08

L-9-08 vaz

RESOLUTION NO. 9-08

BY: **SCOTT M. TUMA**

A RESOLUTION DECLARING IT NECESSARY TO IMPROVE  
CERTAIN PUBLIC STREETS, ROADS, BOULEVARDS AND  
PLACES IN THE CITY OF PARMA, OHIO, BY PROVIDING  
STREET LIGHTING, AND DECLARING AN EMERGENCY

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARMA,  
STATE OF OHIO:

Section 1. It is declared necessary to improve in the City of Parma, Ohio, the public streets, roads, boulevards and places by providing street lighting for a period from January 1, 2009, through December 31, 2011, with lamps of the size and type and at the locations specified in Exhibit A attached hereto.

Section 2. The plans, specifications, profiles and estimate of cost of the improvement, heretofore prepared and now on file in the office of the Clerk of Council, are approved. The improvement shall be made in accordance with, and the grade of the improvement and of any street shall be the grade as shown on, the plans, specifications and profiles for the improvement.

Section 3. This Council finds and determines that (i) the improvement is conducive to the public health, welfare of this City and the inhabitants thereof and (ii) the lots and lands to be assessed as described in Section 4 hereof are specially benefitted by the improvement. This Council further finds and determines that the public streets, roads, boulevards, and places to be improved are so situated in relation to each other that, in order to complete the improvement thereof in the most practical and economical manner, they should be improved at the same time, with the same kind of materials and in the same manner and, therefore, they shall be treated as a single improvement and included in the same legislation and contract.

Section 4. The whole cost of the improvement, less 1/50th of that whole cost together with the cost of street lighting in intersections, shall be assessed by a percentage of the tax value of the property assessed, upon all lots and lands situated within the corporate limits of the City.

Section 5. The cost of the improvement shall include the cost of preliminary and other surveys, plans, specifications, profiles and estimates and of printing, serving and publishing notices, resolutions and ordinances, the amount of any damages resulting from the improvement and the interest thereon, the costs incurred in connection with the preparation, levy and collection of the special assessments, the cost of purchasing, appropriating, and otherwise acquiring any real estate or interests therein required for the improvement, expenses of legal services and the cost of labor and material, together with all other necessary expenditures.

Section 6. For the purpose of that special assessment, this Council establishes and fixes the tax value of the lots, including lands not subdivided into lots, and those not assessed for taxation, as set forth in Exhibit B attached hereto.

Pg. 2 of L-9-08 Res. declaring it necessary to improve certain public streets, roads, boulevards and places in the City of Parma, Ohio, by providing street lighting, and declaring an emergency

Section 7. \_\_\_\_\_, City Assessor, is authorized and directed to prepare and file in the office of the Clerk of Council the estimated special assessments of the cost of the improvement described in this Resolution. Those estimated special assessments shall be based upon the estimate of costs of the improvement now on file in the office of Clerk of Council and shall be prepared pursuant to the provisions of this Resolution. When the estimated assessments have been so filed, the Clerk of Council shall cause notice of the adoption of this Resolution and the filing of the estimate special assessments to be served in the manner provided by law on the owners of all lots and lands to be assessed.

Section 8. The special assessments to be levied shall be paid according to the following payment schedule: in three annual installments; provided, that the owner of any property assessed may pay the special assessment in cash within 10 days after passage of the assessing ordinance.

Section 9. The special assessments to be levied may be levied and collected before the improvement is commenced or completed.

Section 10. The City does not presently intend to issue securities in anticipation of the levy or the collection of the special assessments. The remainder of the entire cost of the improvement, after application of the special assessments, shall be paid from funds appropriated by Council for that purpose.

Section 11. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 12. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City of Parma, and for the further reason that this Resolution must be immediately effective so that the proceedings for the assessment of the costs of lighting those public streets, roads, boulevards and places can be commenced at once in order to provide the revenue to assure safe and convenient travel upon the streets of the City; wherefore, this Resolution shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
CLERK OF COUNCIL

FILED WITH  
THE MAYOR: \_\_\_\_\_  
MAYOR, CITY OF PARMA, OHIO